

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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NORMA KNOPF and MICHAEL KNOPF,	:	17cv5833 (DLC)
	:	
Plaintiffs,	:	<u>ORDER</u>
-v-	:	
	:	
FRANK M. ESPOSITO, DORSEY & WHITNEY,	:	
LLP, NATHANIEL H. AKERMAN, EDWARD S.	:	
FELDMAN, and MICHAEL HAYDEN SANFORD,	:	
	:	
Defendants.	:	
	:	
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DENISE COTE, District Judge:

In a letter of January 18, 2021, the plaintiffs moved to compel defendant Edward Feldman to produce his communications with Michael Sanford from December 29, 2015 to July 11, 2017. According to the plaintiffs, Feldman previously represented Sanford's company, Pursuit Holdings, LLP ("Pursuit"), and at no point represented Sanford. Also on January 18, Michael Sanford, who is no longer a defendant in this action, requested permission to file a response to the plaintiffs' motion by January 25, 2021.


Pursuit filed for Chapter 11 bankruptcy in 2018. On November 19, 2018, the case was converted to a Chapter 7 bankruptcy and a Trustee was appointed. A Settlement Agreement of January 2, 2019 states that the Trustee "waives any attorney-client privilege on behalf of [Pursuit] and will not object to

the Knopfs obtaining any documents or testimony in discovery which may otherwise be subject to an attorney-client privilege held by [Pursuit]." To the extent that any defendant in this litigation wishes to respond to the motion to compel, it is hereby

ORDERED that the defendant may show cause by **Thursday, January 21, 2021 at noon** as to why this Court should not consider Pursuit's attorney-client privilege waived by the Chapter 7 Trustee and/or grant the plaintiffs' motion.

IT IS FURTHER ORDERED that Sanford may respond to the plaintiffs' motion by **Thursday, January 21, 2021 at noon**.

Dated: New York, New York  
January 19, 2021

  
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DENISE COTE  
United States District Judge